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sole members of the corporation at the time of the acts complained of, the corporation therefore had full knowledge of everything that was being done, and the contract could not be rescinded notwithstanding the subsequent sale of stock to purchasers who knew nothing about the profits which the promoters were thus securing. The question again arose in *Old Dominion Copper Mining & S. Co. v. Bigelow*, 89 *Northeastern Reporter*, 193, in the Supreme Judicial Court of Massachusetts, where a lengthy discussion is given of the various authorities, and a decision is reached directly at variance with that of the United States Supreme Court, which the state courts refuse to follow, on the ground that it is not satisfied with the reasoning, and that no question arising under the federal Constitution is involved so as to make the determination of the highest federal tribunal binding. The Massachusetts court holds that the corporation is a separate entirety from its stockholders and promoters, and that notwithstanding all who were stockholders at the time of the sale had full knowledge of all facts connected therewith, such knowledge could not be imputed to the corporation itself, so as to affect the rights of subsequent stockholders.

Liability of Surety on Policeman's Bond.—Are the sureties on the bond of a policeman liable for an assault committed by him? This was the question discussed by the Texas Court of Civil Appeals in *United States Fidelity & Guaranty Co. v. Jasper*, 120 *Southwestern Reporter*, 1145. Judgment by default for the amount of the bond was rendered in the court below. There was no allegation or proof of any ordinance of the city authorizing suits by individuals upon such bonds, and no showing that the bond was executed for the benefit of individuals injured. The appellate court held that, in view of these facts, no liability on the part of the surety company was shown, and the judgment against it was reversed.

Set of Voltaire as Immoral Consideration.—A book agent sold a set of Voltaire's works representing them to contain fine reading matter fit for any one to read. On a more thorough inspection the purchaser declared the books of a licentious, lascivious, and lewd character, not fit to be read in any family, and refused payment on the ground that the consideration of the contract was immoral. In *St. Hubert Guild v. Quinn*, 118 *New York Supplement*, 582, the New York Supreme Court thought it no part of the duty of tribunals to exercise a censorship over literary productions. It is clear that no contract for the sale of a book can be declared illegal unless it violates the criminal law. That some of the passages, judged by the standard of our day, mar rather than enhance the value of these books can be conceded without condemning the sale as illegal. Courts will take the same knowledge as the community at large of matters of literature, and cannot fail to recognize that the genius of Voltaire has en-